

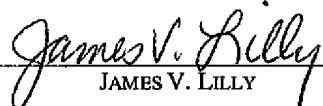
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--------------------|-------------------------|--------------------|-----------------------------------|
| Applicant: | Robert A. Ersek et al. | In Re: | Patent Term Extension Application |
| Patent No.: | 5,571,182 | Filed: | December 20, 2006 |
| Issued: | November 5, 1996 | | |
| For: | TEXTURED MICRO IMPLANTS | Docket No.: | UPL0004/US/4 |

Mail Stop Hatch-Waxman PTE
 Commissioner for Patents
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I CERTIFY THAT ON DECEMBER 22, 2009, THIS PAPER IS BEING ELECTRONICALLY TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE VIA THE OFFICE'S EFS-WEB.


 JAMES V. LILLY

COMMUNICATION IN RESPONSE TO REQUIREMENT FOR ELECTION

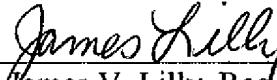
This is response to the NOTICE OF FINAL DETERMINATION AND REQUIREMENT FOR ELECTION mailed November 25, 2009 by the United States Patent and Trademark Office (USPTO) in regard to the above-identified matter.

Applicants initially filed applications for extension of the terms of three patents, i.e., U.S. Patent 5,258,028; U.S. Patent 5,336,263; and U.S. patent 5,571,182 based upon the same regulatory review period. The USPTO determined that a certificate of extension should issue for U.S. Patent 5,258,028 and that the applications for extension of U.S. Patent 5,336,263 and U.S. Patent 5,571,182 should be denied absent a single election of another of the patents.

Applicants hereby elect U.S. Patent 5,571,182 as the patent for which the certificate of extension should issue.

Respectfully Submitted,

Dated: December 22, 2009

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